

1 MICHAEL PLIMACK (SBN 133869)
2 JESSICA WAI-CHUNG CHAN (SBN 247669)
3 SAMANTHA J. CHOE (SBN 252002)
4 JOHN D. FREED (SBN 261518)
5 COVINGTON & BURLING LLP
6 One Front Street
7 San Francisco, CA 94111
8 Telephone: 415-591-6000
9 Facsimile: 415-591-6091
10 Email: mplimack@cov.com
11 jchan@cov.com
12 schoe@cov.com
13 jfreed@cov.com

Attorneys for Petitioner José Luis Tapia-Fierro

JS-6

8 TONY WEST
9 ELIZABETH STEVENS
10 SARAH B. FABIAN
11 U.S. DEPARTMENT OF JUSTICE
12 Civil Division - Office of Immigration Litigation
13 District Court Section
14 P.O. Box 868, Ben Franklin Station
15 Washington, DC 20044-0868
16 Telephone: 202-532-4824
17 Facsimile: 202-616-8962
18 Email: Sarah.B.Fabian@usdoj.gov
19 Attorneys for Respondents

15 UNITED STATES DISTRICT COURT
16
17 FOR THE CENTRAL DISTRICT OF CALIFORNIA
18
19 EASTERN DIVISION

20 JOSÉ LUIS TAPIA-FIERRO

21 Petitioner,

22 v.

23 ERIC HOLDER, Attorney General of
24 the United States, and JANET
25 NAPOLITANO, Secretary of United
26 States Department of Homeland
27 Security, ROBIN F. BAKER, Field
28 Office Director, GABRIELA
PACHECO, Assistant Field Office
Director, JOHNNY WILLIAMS,
Assistant Field Office Director

Respondents.

Case No.: ED-CV11-1190(R)(SS)

JUDGMENT

1 Pursuant to the Court's Order Granting José Luis Tapia-Fierro's
2 Motions for Conversion of Preliminary Injunction to Permanent Injunction and
3 for Summary Judgment, Judgment is entered in favor of Petitioner and against
4 Respondents.

5 It is hereby ordered that Mr. Tapia-Fierro's Petition for Writ of
6 Habeas Corpus is GRANTED. It is hereby declared that Mr. Tapia-Fierro is an
7 admitted lawful permanent resident and that Respondents' prolonged detention of
8 Mr. Tapia-Fierro without adequate procedural safeguards violates the Due
9 Process Clause of the Fifth Amendment and the Immigration and Nationality Act.
10 The Immigration Judge's bond order dated March 17, 2011 is hereby reinstated
11 and Mr. Tapia-Fierro is to be released from custody.

12
13
14 DATED: Jan. 23, 2012



HON. MANUEL L. REAL
UNITED STATES DISTRICT
JUDGE